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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

|  |  |                        |                      |
|--|--|------------------------|----------------------|
|  |  | Application Number     | 09/941,536           |
|  |  | Filing Date            | 08/29/2001           |
|  |  | First Named Inventor   | Hitoshi Kuno, et al. |
|  |  | Art Unit               | 3742                 |
|  |  | Examiner Name          | Teresa J. Walberg    |
| Total Number of Pages in This Submission |  | Attorney Docket Number | 4041J-000406         |

## ENCLOSURES (check all that apply)

|  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form                     | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> After Allowance Communication to Technology Center (TC)        |
| <input checked="" type="checkbox"/> Fee Attached                             | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
| <input checked="" type="checkbox"/> Amendment / Reply                        | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)                           | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                           | <input type="checkbox"/> Terminal Disclaimer  | <input checked="" type="checkbox"/> Other Enclosure(s)<br>(please identify below):      |
| <input type="checkbox"/> Express Abandonment Request                         | <input type="checkbox"/> Request for Refund   | <b>Return Receipt Postcard</b>  |
| <input type="checkbox"/> Information Disclosure Statement                    | <input type="checkbox"/> CD, Number of CD(s) _____                                      |   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)              |   |   |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application   |   |   |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |   |   |

## Remarks

The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                         |                                  |                                     |                    |
|-------------------------|----------------------------------|-------------------------------------|--------------------|
| Firm or Individual name | Harness, Dickey & Pierce, P.L.C. | Attorney Name<br>Michael J. Schmidt | Reg. No.<br>34,007 |
| Signature               |                                  |                                     |                    |
| Date                    | November 5, 2004                 |                                     |                    |

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

|                       |                    |                        |                               |
|-----------------------|--------------------|------------------------|-------------------------------|
| Typed or printed name | Michael J. Schmidt | Express Mail Label No. | EV 406 076 374 US (11/5/2004) |
| Signature             |                    | Date                   | November 5, 2004              |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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EV 406 076 374 US



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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 214)

| Complete If Known    |                      |
|----------------------|----------------------|
| Application Number   | 09/941,536           |
| Filing Date          | 08/29/2001           |
| First Named Inventor | Hitoshi Kuno, et al. |
| Examiner Name        | Teresa J. Walberg    |
| Art Unit             | 3742                 |
| Attorney Docket No.  | 4041J-000406         |

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money  Other  None  
Order

Deposit Account:

Deposit Account Number 08-0750

Deposit Account Name Harness, Dickey & Pierce, P.L.C.

## The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee  
 to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

**Large Entity** **Small Entity**

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description        | Fee Paid |
|----------|----------|----------|----------|------------------------|----------|
| 1001     | 790      | 2001     | 395      | Utility filing fee     |          |
| 1002     | 350      | 2002     | 175      | Design filing fee      |          |
| 1003     | 550      | 2003     | 275      | Plant filing fee       |          |
| 1004     | 790      | 2004     | 395      | Reissue filing fee     |          |
| 1005     | 160      | 2005     | 80       | Provisional filing fee |          |

**SUBTOTAL (1)**

(\$ 0)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

|                    |    | Extra Claims | Fee from below | Fee Paid   |
|--------------------|----|--------------|----------------|------------|
| Total Claims       | 27 | -20 **       | = 7            | X 18 = 126 |
| Independent Claims | 4  | -3 **        | = 1            | X 88 = 88  |
| Multiple Dependent |    |              |                | X = 0      |

**Large Entity** **Small Entity**

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description  |
|----------|----------|----------|----------|--|
| 1202     | 18       | 2202     | 9        | Claims in excess of 20                                     |
| 1201     | 88       | 2201     | 44       | Independent claims in excess of 3                          |
| 1203     | 300      | 2203     | 150      | Multiple dependent claim, if not paid                      |
| 1204     | 88       | 2204     | 44       | ** Reissue independent claims over original patent         |
| 1205     | 18       | 2205     | 9        | ** Reissue claims in excess of 20 and over original patent |

**SUBTOTAL (2)**

(\$ 214)

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

**Large Entity** **Small Entity**

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description  | Fee Paid |
|----------|----------|----------|----------|--|----------|
| 1051     | 130      | 2051     | 65       | Surcharge - late filing fee or oath  |          |
| 1052     | 50       | 2052     | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053     | 130      | 1053     | 130      | Non-English specification  |          |
| 1812     | 2,520    | 1812     | 2,520    | For filing a request for reexamination                                     |          |
| 1804     | 920*     | 1804     | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805     | 1,840*   | 1805     | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251     | 110      | 2251     | 55       | Extension for reply within first month                                     |          |
| 1252     | 430      | 2252     | 215      | Extension for reply within second month                                    |          |
| 1253     | 980      | 2253     | 490      | Extension for reply within third month                                     |          |
| 1254     | 1,530    | 2254     | 765      | Extension for reply within fourth month                                    |          |
| 1255     | 2,080    | 2255     | 1,040    | Extension for reply within fifth month                                     |          |
| 1401     | 340      | 2401     | 170      | Notice of Appeal   |          |
| 1402     | 340      | 2402     | 170      | Filing a brief in support of an appeal                                     |          |
| 1403     | 300      | 2403     | 150      | Request for oral hearing   |          |
| 1451     | 1,510    | 1451     | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452     | 110      | 2452     | 55       | Petition to revive - unavoidable   |          |
| 1453     | 1,370    | 2453     | 685      | Petition to revive - unintentional   |          |
| 1501     | 1,370    | 2501     | 685      | Utility issue fee (or reissue)   |          |
| 1502     | 490      | 2502     | 245      | Design issue fee   |          |
| 1503     | 660      | 2503     | 330      | Plant issue fee  |          |
| 1460     | 130      | 1460     | 130      | Petitions to the Commissioner  |          |
| 1807     | 50       | 1807     | 50       | Processing fee under 37 CFR 1.17 (q)                                       |          |
| 1806     | 180      | 1806     | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021     | 40       | 8021     | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809     | 790      | 2809     | 395      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810     | 790      | 2810     | 395      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801     | 790      | 2801     | 395      | Request for Continued Examination (RCE)                                    |          |
| 1802     | 900      | 1802     | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

(\$ 0)

## SUBMITTED BY

Complete (if applicable)

|                   |                    |                                   |        |                  |                |
|-------------------|--------------------|-----------------------------------|--------|------------------|----------------|
| Name (Print/Type) | Michael J. Schmidt | Registration No. (Attorney/Agent) | 34,007 | Telephone        | (248) 641-1600 |
| Signature         |                    |                                   | Date   | November 5, 2004 |                |

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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11-8-04

3742 \$

Rbw

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/941,536

Filing Date: 08/29/2001

Applicant: Hitoshi Kuno, et al.

Group Art Unit: 3742

Examiner: Teresa J. Walberg

Title: METHOD FOR PREVENTING CONTAMINATION OF  
HEAT EXCHANGER AND HEAT EXCHANGER USING  
THIS METHOD

Attorney Docket: 4041J-000406

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Mail Stop Amendment  
Director of The United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**AMENDMENT**

Sir:

In response to the Office Action mailed August 18, 2004, Paper No./Mail Date 081604, please amend and reconsider the above referenced patent application as follows.

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks** begin on page 12 of this paper.

11/10/2004 BABRAHA1 00000105 09941536

01 FC:1202  
02 FC:1201

126.00 0P  
88.00 0P